REPUBLIC OF KENYA







THE NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT

(FOURTH SESSION)

NA.L&P.2016/COMM (014)

March 8, 2016

PAPER LAID

Hon. Speaker, I beg to lay the following Paper on the Table of the House, today Wednesday, March 9, 2016:

THE REPORT OF THE ADMINISTRATION AND NATIONAL SECURITY COMMITTEE ON ITS CONSIDERATION OF THE NATIONAL POLICE SERVICE (AMENDMENT) BILL (SENATE BILL NO. 29 OF 2014)

(CHAIRPERSON, ADMINISTRATION AND NATIONAL SECURITY COMMITTEE)

Copies to:

The Speaker -

Deputy Speaker

The Leader of the Majority Party

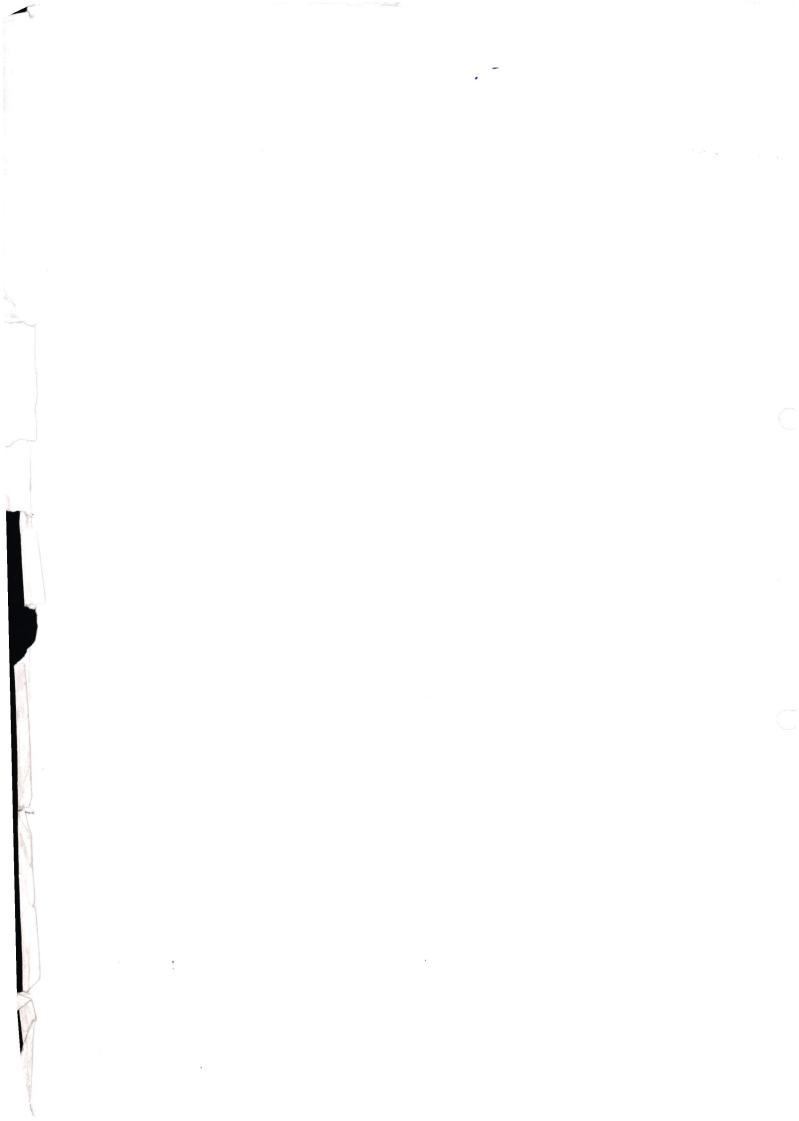
The Leader of the Minority Party

The Clerk

Hansard Editor

Hansard Reporters

The Press



REPUBLIC OF KENYA

Approved But SNA |3/5/16



THE NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT

(FOURTH SESSION)

NA.L&P.2016/COMM (037)

May 3, 2016

PAPER LAID

Hon. Speaker, I beg to lay the following Paper on the Table of the House, today Tuesday, May 3, 2016:

REPORTS OF THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY ON ITS CONSIDERATION OF PETITIONS:

- (i) By Residents of Chuka Igambang'ombe Constituency regarding delayed creation of a new administrative unit in Kiringani Location Meru South Sub-County;
- (ii)By Kasikeu Ward Village Managers regarding recognition and compensation for services rendered by Village Elders; and
- (iii) By three inmates from Naivasha Maximum Prison on radicalization of inmates, review of the Penal Code and Amnesty for inmates who have served for more than seven (7) years.

(CHAIRPERSON, COMMITTEE ON ADMINISTRATION & NATIONAL SECURITY)







NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT - FOURTH SESSION - 2016

DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY

REPORT ON THE CONSIDERATION OF A PETITION BY RESIDENTS OF CHUKA IGAMBANGO'MBE CONSTITUENCY REGARDING DELAYED CREATION OF A NEW ADMINISTRATIVE UNIT IN KIRINGANI LOCATION, MERU SOUTH SUB – COUNTY.

DIRECTORATE OF COMMITTEE SERVICES, CLERK'S CHAMBERS PARLIAMENT BUILDINGS NAIROBI

APRIL, 2016

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Chair's foreword

The petition by residents of Chuka Igambango'mbe Constituency, regarding the delayed creation of a new administrative unit in Kiringani Location was tabled before the House pursuant to Standing Order No. 225 (2) (a) by Hon. Muthomi Njuki, MP on behalf of the petitioners.

In considering the petition, the Committee held meetings with the Hon.Muthomi Njuki, MP on behalf of the petitioners and the Cabinet Secretary, Ministry of Interior and Coordination of National Government. The meetings were aimed at responding to the issues raised in the petition.

The Committee is thankful to the Office of the Speaker and the Clerk of the National Assembly for the logistical and technical support accorded to it during its Sittings.

On behalf of the Committee, and pursuant to Standing Order, 227 it is my pleasant duty to table in the House the Report of the Departmental Committee on Administration and National Security on its consideration of a petition by residents of Chuka Igambango'mbe Constituency regarding delayed creation of a new administrative unit in Kiringani Location, Meru South Sub – County.

The Hon. Asman Kamama, MGH, OGW, MP Chairperson Departmental Committee Administration and National Security

EXECUTIVE SUMMARY

The purpose of this report was to consider and respond to the prayers sought by residents of Chuka Igambango'mbe Constituency in a petition regarding delayed creation of a new administrative unit in Kiringani Location, Meru South Sub – County. The Committee found out that the prayer sought by the petitioners is justifiable given that Karingani location comprises Ndagani, Mariani, Rukindu, Njaina and Karongoni sub-locations with a population of 18,194 persons within an area of 72.5 kms. The large population requiring National Government services poses an administrative challenge to the area Chief. Karingani location also hosts Chuka university fraternity with a population of twelve thousand (12,000) people, which was increasing with each year's enrolment of students coupled with a business community that was increasingly settling in the area, all of which has led to a steady rise in population.

The report concludes that the Ministry of interior and Coordination of National Government should create a new location in Karingani by subdividing Karingani Location into Karingani and Mariani Locations. The Ministry should also fast track the rationalization of administrative units in the Country to align them with Constituency and ward boundaries.

1.0 PREFACE

- 1.1 On Wednesday 28th October, 2015, a Petition was tabled before the House pursuant to Article 119 (1) of the Constitution of Kenya 2010 and Standing Order No. 225 (2) (a) by the Hon. Muthomi Njuki, MP on behalf of residents of Chuka Igambango'mbe Constituency regarding delayed creation of a new administrative unit in Kiringani Location, Meru South Sub County.
- 1.2 The House pursuant to Standing Order 227 referred the Petition to the Departmental Committee on Administration and National Security for preparation of the Report;
- 1.3 The Committee received the Petition on Thursday 29th October,2015 and set out a procedure for the consideration of the petition and to report to the House within 60 days as set out in Standing order no 227(2);
- 1.4 However due to the nature of work involved in responding to the prayers sought by the petitioners the Committee sought for more time.

2.0 MANDATE OF THE COMMITTEE

- 2.1 The Departmental Committee on Administration and National Security is established pursuant to the provisions of Standing Order No. 216 (1) and (5) with the following terms of reference:-
 - (i) make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;
 - (ii) to investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments;
 - (iii)to study the programme and policy objectives of Ministries and departments and the effectiveness of the implementation;
 - (iv)to study, access and analyze the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives;
 - (v) to investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House or a Minister.
 - (vi)study and review all legislation referred to it
- 2.2 The Committee is mandated to consider the following subjects:
 - i. National security
 - ii. Police services
 - iii. Public Administration
 - iv. Public Service
 - v. Prisons
 - vi. Immigration
 - vii. management of natural disasters

2.3 Oversight

In executing its mandate, the Committee oversees the following Government Departments and agencies, namely:-

- i. The Presidency
- ii. The State Department of Interior
- iii. The State Department for Coordination of National Government
- iv. The Public Service Commission,
- v. The National Police Service Commission
- vi. The Independent Police Oversight Authority

2.4 Members of the Committee

Chairperson Vice Chairperson Members

The Hon. Asman Kamama, MGH, OGW, MP

The Hon. Alois M. Lentoimaga, MP

The Hon. Ababu Namwamba, EGH, MP

The Hon. Joseph Lekuton, MP

The Hon. Alice Wahome, MP

The Hon. Zakayo K. Cheruiyot, MP The Hon. Timothy W. Wetangula, MP

The Hon. Patrick Ole Ntutu, MP The Hon. Ali Isaack Shaaban, MP

The Hon. Samuel Moroto, MP

The Hon.(Dr.) Humphrey Njuguna, MP

The Hon. Francis K. Mwangangi, MP

The Hon. Rashid J. Bedzimba, MP

The Hon. David Gikaria, MP

The Hon. Mohamed Shidiye, MP

The Hon. Jane Machira, MP

The Hon. Ibrahim Abdi Saney, MP

The Hon. Joseph O. Ndiege, MP

The Hon. (Maj. Rtd.) John K. Waluke, MP

The Hon. Wanjiku Muhia, MP

The Hon. Akuja Protus Ewesit, MP

The Hon. Joseph M. Kahangara, MP

The Hon. Ahmed Abdikadir Ore, MP

The Hon. Grace Kiptui, MP

The Hon. George Theuri, MP

The Hon. James Bett, MP

The Hon. Benard Shinali, MP

Committee Secretariat

First Clerk Assistant

Clerk Assistant

Clerk Assistant

Mr. Leonard Machira

Ms. Rose Wanjohi

Ms. Hellen Lokwang

Legal Counsel

Ms. Christine Odhiambo

Research & Policy Analyst

Ms. Fiona Musili

Fiscal Analyst Mr. Edison Odhiambo

2.5 List of recommendations

- 1. The Ministry of interior and Coordination of National Government should create a new location in Karingani by subdividing Karingani Location into Karingani and Mariani Locations.
- 2. The Ministry of Interior and Coordination of National Government should fast track the rationalization of administrative units in the Country to align them with Constituency and Ward boundaries. Further the exercise should be based on an objective and fair criteria.

3.0 INTRODUCTION

- 3.1 The petition by residents of Chuka Igambango'mbe Constituency regarding delayed creation of a new administrative unit in Kiringani Location, Meru South Sub County was tabled in the House by pursuant to Standing Order 225 (2) (a) by the Hon. Muthomi Njuki, MP on Wednesday 28th October, 2015.
- Pursuant to the House rules, the petition was referred to the Committee 29th October, 2015 for consideration and preparation of a report within 60 days. The Committee considered the petition pursuant to the provisions of Standing Order 227.
- 3.3 The Petitioners wished to draw to the attention of the House on the following, that:
 - (i) To ensure effective coordination of Government functions and services at the Sub County, there is need to have well defined geographical and administrative units;
 - (ii) The above mentioned objective was not realized in the demarcation of Kiringani location within Chuka Division which had a population of eighteen thousand, one hundred and ninety four (18194) people, within an area of 72.5 square kilometres;
 - (iii) The current headquarters of Karingani Location were in Kaanwa, which was far from upcoming market centres, thus posing a challenge to the area chief who had been overwhelmed by the heavy work load of coordinating activities in the area; and
 - (iv) Requests by the residents of Karingani to the relevant National Government organs to address the matter had not been considered.
- 3.2 The petitioners prayed that the National Assembly through the Departmental Committee on Administration and National Security intervenes in the matter to cause the creation of a new administrative unit in Kiringani area.

4.0 EVIDENCE

4.1 Evidence from Hon. Muthomi Njuki, MP on behalf of Petitioners

The Committee held a meeting with the Hon. Muthomi Njuki, MP on Thursday 11th February 2016. During the meeeting the Committeeinformed that the proposed Karingani location currently exists as a sub location within the larger Karingani Location of Chuka Division, Karingani Ward. Karingani location comprises Ndagani, Mariani, Rukindu and Karongoni sub-locations with a population of 18,194 persons within an area of 72.5 kms. It is envisaged that the proposed Karingani Location will be in line with current administrative and electoral boundaries. The proposed administrative unit will consist of the following administrative units:

- (i) Karingani Location (Proposed)
 - (a) Ndagani Sub Location
 - (b) Njaina Location
 - (c) Rukindu Sub Location
- (ii) Mariani Location (existing currently known as Karingani)
 - (a) Mariani Sublocation
 - (b) Karongoni Sub location

The Committee was also informed that a series of consultative forums with the local political leadership including the area MP, members of the County Assembly, Chiefs, Assistant Chiefs and other opinion leaders had expressed concern and the need for the creation of a new location.

The Hon. Muthomi Njuki, MP emphasized the petitioners justification for the prayers sought and informed the Committee that currently Karingani location hosts Chuka university fraternity with a population of twelve thousand (12,000) people, which was increasing with each year's enrolment of students coupled with the growing number of business persons settling in the area, all of which had led to a steady rise in population.

He added that, the current headquarters of Karingani location which is in Kaanwa, is far from upcoming markets, thus posing an administrative challenge to the area Chief, who was occasionally overwhelmed by the workload of coordinating activities in the area. The Committee was further informed that requests to address this matter by the residents through organs of the National Government had not been considered, while the situation continues to affect efficient delivery of administrative services to the area residents.

4.2. Evidence from the Cabinet Secretary, Ministry of Interior and Coordination of National Government

The Cabinet Secretary informed the Committee that the Ministry had received over 500 petitions for delineation of various administrative units across the country. The Ministry had commenced the process of rationalization and harmonization of all administrative units. The creation of administrative units would be based on recommendations from the exercise. The process would however depend, among other factors, on budgetary allocations to the Ministry.

The Hon. Muthomi Njuki, MP, who was in attendance, informed the Committee that with the development of Chuka University there was increased population growth in Karingani Location which required services yet the residents administratively report to a chief who was based in a different ward. He further stated that Karingani Location has five sub - locations. He further requested the Cabinet Secretary to consider fast tracking the creation of the new administrative unit. The Cabinet Secretary promised to consider the request and asked the Hon. Muthomi Njuki, MP to provide copies of the County Commissioner's recommendations on the matter and which the Member agreed to provide.

5.0 COMMITTEE OBSERVATIONS

The Committee made the following observations from evidence adduced in the meetings, that:-

- 1. Karingani location comprises Ndagani, Mariani, Rukindu and Karongoni sublocation with a population of 18,194 persons within an area of 72.5 kms. The large population requiring National Government services poses an administrative challenge to the area Chief. Hence the prayer by the petitioners that the location be divided into two is justifiable.
- 2. Karingani location hosts Chuka university fraternity with a population of twelve thousand (12,000) people, which was increasing with each year's enrolment of students coupled with a business community settling in the area, all of which has led to a steady rise in population in that area.
- 3. To rationalise political and administrative boundaries the residents of Karingani proposed that the location be subdivided into two locations Karingani and Mariani to correspond with the existing Karingani and Mariani wards.

6.0 COMMITTEE RECOMMENDATIONS

In response to the prayers by the petitioners, the Committee recommends that:-

- 1. The Ministry of interior and Coordination of National Government should create a new location in Karingani by subdividing Karingani Location into Karingani and Mariani Locations.
- 2. The Ministry of Interior and Coordination of National Government should fast track the rationalization of administrative units in the Country to align them with Constituency and Ward boundaries. Further the exercise should be based on an objective and fair criteria.

Signed Date Date Doy Date

Hon. Asman Kamama, MGH, OGW, MP

Chairman, Departmental Committee on Administration and National Security

ANNEX I

ADOPTION LIST

We, Members of the Departmental Committee on Administration and National Security have pursuant to Standing Order 199 adopted this report on the petition by residents of Chuka Igambango'mbe Constituency regarding delayed creation of a new administrative unit in Kiringani Location, Meru South Sub – County and affix our signatures to confirm our approval and confirm its accuracy, validity and authenticity on in April 2016 as per the attached adoption list

1.	The Hon. Asman Kamama, MGH, OGW, MP – Chairperson	
2.	The Hon. Alois M. Lentoimaga, MP- Vice Chairperson	
3.	The Hon. Ababu Namwamba, EGH, MP	
4.	The Hon. Joseph Lekuton, MP	
5.	The Hon. Alice Wahome, MP	Myles -
6.	The Hon. Zakayo K. Cheruiyot, MP	1 Car
7.	The Hon. Timothy W. Wetangula, MP	walyhar.
8.	The Hon. Patrick Ole Ntutu, MP	/ Dulia
9.	The Hon. Ali Isaack Shaaban, MP	Timus
10.	The Hon. Samuel Moroto, MP	1
11.	The Hon.(Dr.) Humphrey Njuguna, MP	#
12.	The Hon. Francis K. Mwangangi, MP	
13.	The Hon. Rashid J. Bedzimba, MP	
14.	The Hon. David Gikaria, MP	
15.	The Hon. Mohamed Shidiye, MP	
16.	The Hon. Jane Machira, MP	
17.	The Hon. Ibrahim Abdi Saney, MP	

18. The Hon. Joseph O. Ndiege, MP

19. The Hon. (Maj. Rtd.) John K. Waluke, MP

20. The Hon. Wanjiku Muhia, MP

21. The Hon. Akuja Protus Ewesit, MP

22. The Hon. Joseph M. Kahangara, MP

23. The Hon. Ahmed Abdikadir Ore, MP

24. The Hon. Grace Kiptui, MP

25. The Hon. George Theuri, MP

26. The Hon. James Bett, MP

27. The Hon. Benard Shinali, MP

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Thanks

Jala.

ANNEX II

MINUTES

MINUTES OF THE 3RD SITTING OF THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY HELD ON 11TH FEBRUARY 2016 IN 9TH FLOOR BOARD ROOM HARAMBEE SACCO, PARLIAMENT BUILDINGS AT 10.00 A.M.

PRESENT

1. The Hon. Alois Lentoimaga, MP

2. The Hon. George Theuri, MP

3. The Hon. Protus Akuja Ewesit, MP

4. The Hon. Grace Kiptui, MP

5. The Hon. Ibrahim Abdi Saney, MP

6. The Hon. Humphrey Njuguna, MP

7. The Hon. Patrick Ole Ntutu, MP

8. The Hon. Wanjiku Muhia, MP

9. The Hon. Ahmed Abdikadir Ore, MP

10. The Hon. Zakayo Cheruiyot, MP

11. The Hon. Benard Shinali, MP

12. The Hon. David Gikaria, MP

13. The Hon, Joseph Kahangara, MP

14. The Hon. Alice Wahome, MP

15. The Hon. Mohamed Shidiye, MP

16. The Hon. Joseph Lekuton, MP

17. The Hon. Rashid Bedzimba, MP

18. The Hon. Joseph Ndiege, MP

ABSENT WITH APOLOGY

1. The Hon. Asman Kamama, MGH, OGW, MP

2. The Hon. Francis Mwangangi, MP

3. The Hon. Samuel Moroto, MP

4. The Hon. Timothy Wetangula, MP

5. The Hon. (Maj. Rtd.) J. K. Waluke, MP

6.—The-Hon. James Bett, MP

7. The Hon. Ababu Namwamba, MP

8. The Hon. Jane Machira, MP

9. The Hon. Shaaban Ali Isaack, MP

IN ATTENDANCE NATIONAL ASSEMBLY

1. The Hon. Florence Kajuju, MP - Petitioner

2. The Hon. Muthomi Njuki, MP – Petitioner

3. The Hon. Ngumbao Iringo, MP

Vice Chairperson

Chairperson

SECRETARIAT

Mr. Leonard Machira
 Ms. Hellen Lokwang
 Third Clerk Assistant

3. Mr. Eugene Apaa - Research & Policy Analyst III

MIN.NO.010/ANS/2016 - PRELIMINARIES

The meeting was called to order at 10.30 am. A prayer was said by Mr. Leonard Machira.

MIN.NO.011/ANS/2016 - CONFIRMATION OF MINUTES

The agenda item was deferred.

MIN.NO.012/ANS/2016 - PETITION BY HON. FLORENCE KAJUJU, MP ON BEHALF OF THE RESIDENTS OF MERU COUNTY REGARDING CASES OF INSECURITY, BOUNDARY CONFLICT, CATTLE RUSTLING, SEXUAL ABUSE. LOSS OF LIFE AND PROPERTY.

Hon. Florence Kajuju, MP informed the Committee that Meru County had been experiencing rising cases of insecurity, involving cattle rustling and destruction of property. The most affected Sub-Counties were Tigania East, Tigania West, Igembe Central and Igembe North which border Isiolo County. The residents of Meru County had lost animals, houses had been burnt, and crops destroyed, rape cases reported and young people shot dead. Although the cases had been reported to the police no tangible action has been taken.

Residents in the affected areas had fled their homes fearing for their lives, children had missed classes and business had come to a standstill. The attacks were reportedly fueled by border conflicts, inadequate grazing lands and water for the animals, lack of enough security personnel and negligence by police officers.

The Members of Parliament in Meru County had facilitated the construction of police camps in the affected areas. In Igembe North, the camps included Bulu, Kiumone, Luthaya and Mbiriata. Nginyo and Malaene/Kubisira camps were still under construction. In Igembe Central more camps had been established which included Mbataru, Mariara and Kiruyu which is under construction.

The Petitioner prayed that the Committee:-

- (i) Visits Meru County to assess the situation in relation with the prayers sought by the petitioners.
- (ii) Resolves that the Ministry of Internal Security and National Coordination enhance security in the conflict areas, with additional Kenya Police Reservists, Anti-Stock Theft Unit, and Rapid Deployment Unit.

- (iii) Resolve that damages suffered and loss of life, displacements, loss of property and destruction be quantified and fully compensated.
- (iv) That a proper mechanism is put in place to prevent conflicts and conflict resolution measures be established.

The Committee resolved to visit the affected areas in Meru and Isiolo Counties to assess the prevailing situation. Hon. Florence Kajuju was tasked to advise the Committee on the legal framework on compensation of the victims, who have lost their animals, crops, their lives, incidences of rape and kidnappings.

MIN.NO.013/ANS/2016 - PETITION BY HON. MUTHOMI NJUKI, MP ON BEHALF OF RESIDENTS OF CHUKA IGAMBANG'OMBE CONSTITUENCY ON DELAYED CREATION OF A NEW ADMINISTRATIVE UNIT.

Hon. Muthomi Njuki, MP informed the Committee that the proposed Karingani location currently exists as a sub location within a larger Karingani Location of Chuka Division, Karingani Ward. Karingani location comprises Ndagani, Mariani, Rukindu and Karongoni sublocation with a population of 18,194 persons within an area of 72.5 kms. A series of consultative forums with the local political leaderships including the area MP, members of the County Assembly, Chiefs, Assistant Chiefs and other opinion leaders had expressed concern and the need for a new location by the name of Karingani location.

The Petitioner called the attention of the Committee to the following issues:-

- (i) That, to ensure effective coordination of National Government functions and services at the sub-county levels, there is need to have well defined geographical and administrative units;
- (ii) That, this objective was not realized in delimitation and demarcation of boundaries for Karingani location which currently exists in Chuka division and has a population of eighteen thousand, one hundred and ninety four (18,194) people, within an area of 72.5 square kilometers;
- (iii) That, currently Karingani location hosts Chuka university fraternity with a population of twelve thousand (12,000) people, which was increasing with each year's enrolment of students coupled with a business community settling in the area, all of which has led to a steady rise in population in that area;
- (iv) That, the current headquarters of Karingani location which is in Kaanwa, is far from upcoming markets, thus posing an administrative challenge to the area Chief, who is occasionally overwhelmed by the workload of coordinating activities in the area;
- (v) That, requests to address this matter by the residents of Karingani area through organs of the National Government have not been considered, while the situation continues to hamper and complicate delivery of administrative services to the area residents.

MIN.NO.014/ANS/2016

ANY OTHER BUSINESS

The following issues were raised:-

- (i) The Cabinet Secretary for Interior and Coordination of National Government be requested to clarify the delay in the creation a new administrative unit in Karingani location.
- (ii) The National Police Service Commission to appear before the Committee and clarify the alleged corruption the promotions and transfer of police officers.

MIN.NO.015/ANS/2015 - ADJOURNMENT OF THE MEETING

The meeting was adjourned at 12.30 pm and the next meeting will be held on Tuesday, 16th February, 2016 at 10.00 a.m.

Signed (Chairperson)

Date 15 [03] 2016

MINUTES OF THE 3RD SITTING OF THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY HELD ON 11TH FEBRUARY 2016 IN 9TH FLOOR BOARD ROOM HARAMBEE SACCO, PARLIAMENT BUILDINGS AT 10.00 A.M.

PRESENT

- 1. The Hon. Alois Lentoimaga, MP
- 2. The Hon. George Theuri, MP
- 3. The Hon. Protus Akuja Ewesit, MP
- 4. The Hon. Grace Kiptui, MP
- 5. The Hon. Ibrahim Abdi Saney, MP
- 6. The Hon. Humphrey Njuguna, MP
- 7. The Hon. Patrick Ole Ntutu, MP
- 8. The Hon. Wanjiku Muhia, MP
- 9. The Hon. Ahmed Abdikadir Ore, MP
- 10. The Hon. Zakayo Cheruiyot, MP
- 11. The Hon. Benard Shinali, MP
- 12. The Hon. David Gikaria, MP
- 13. The Hon. Joseph Kahangara, MP
- 14. The Hon. Alice Wahome, MP
- 15. The Hon. Mohamed Shidiye, MP
- 16. The Hon. Joseph Lekuton, MP
- 17. The Hon. Rashid Bedzimba, MP
- 18. The Hon. Joseph Ndiege, MP

ABSENT WITH APOLOGY

- 1. The Hon. Asman Kamama, MGH, OGW, MP
- 2. The Hon. Francis Mwangangi, MP
- 3. The Hon. Samuel Moroto, MP
- 4. The Hon. Timothy Wetangula, MP
- 5. The Hon. (Maj. Rtd.) J. K. Waluke, MP
- 6. The Hon. James Bett, MP
- 7. The Hon. Ababu Namwamba, MP
- 8. The Hon. Jane Machira, MP
- 9. The Hon. Shaaban Ali Isaack, MP

IN ATTENDANCE NATIONAL ASSEMBLY

- 1. The Hon. Florence Kajuju, MP Petitioner
- 2. The Hon. Muthomi Njuki, MP Petitioner
- 3. The Hon. Ngumbao Iringo, MP

Vice Chairperson

Chairperson

SECRETARIAT

Mr. Leonard Machira
 Ms. Hellen Lokwang
 Third Clerk Assistant

3. Mr. Eugene Apaa - Research & Policy Analyst III

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MIN.NO.011/ANS/2016 - CONFIRMATION OF MINUTES

The agenda item was deferred.

MIN.NO.012/ANS/2016 - PETITION BY HON. FLORENCE KAJUJU, MP ON BEHALF OF THE RESIDENTS OF MERU COUNTY REGARDING CASES OF INSECURITY, BOUNDARY CONFLICT, CATTLE RUSTLING, SEXUAL ABUSE. LOSS OF LIFE AND PROPERTY.

Hon. Florence Kajuju, MP informed the Committee that Meru County had been experiencing rising cases of insecurity, involving cattle rustling and destruction of property. The most affected Sub-Counties were Tigania East, Tigania West, Igembe Central and Igembe North which border Isiolo County. The residents of Meru County had lost animals, houses had been burnt, and crops destroyed, rape cases reported and young people shot dead. Although the cases had been reported to the police no tangible action has been taken.

Residents in the affected areas had fled their homes fearing for their lives, children had missed classes and business had come to a standstill. The attacks were reportedly fueled by border conflicts, inadequate grazing lands and water for the animals, lack of enough security personnel and negligence by police officers.

()

The Members of Parliament in Meru County had facilitated the construction of police camps in the affected areas. In Igembe North, the camps included Bulu, Kiumone, Luthaya and Mbiriata. Nginyo and Malaene/Kubisira camps were still under construction. In Igembe Central more camps had been established which included Mbataru, Mariara and Kiruyu which is under construction.

The Petitioner prayed that the Committee:-

- (i) Visits Meru County to assess the situation in relation with the prayers sought by the petitioners.
- (ii) Resolves that the Ministry of Internal Security and National Coordination enhance security in the conflict areas, with additional Kenya Police Reservists, Anti-Stock Theft Unit, and Rapid Deployment Unit.

- (iii) Resolve that damages suffered and loss of life, displacements, loss of property and destruction be quantified and fully compensated.
- (iv) That a proper mechanism is put in place to prevent conflicts and conflict resolution measures be established.

The Committee resolved to visit the affected areas in Meru and Isiolo Counties to assess the prevailing situation. Hon. Florence Kajuju was tasked to advise the Committee on the legal framework on compensation of the victims, who have lost their animals, crops, their lives, incidences of rape and kidnappings.

MIN.NO.013/ANS/2016 - PETITION BY HON. MUTHOMI NJUKI, MP ON BEHALF OF RESIDENTS OF CHUKA IGAMBANG'OMBE CONSTITUENCY ON DELAYED CREATION OF A NEW ADMINISTRATIVE UNIT.

Hon. Muthomi Njuki, MP informed the Committee that the proposed Karingani location currently exists as a sub location within a larger Karingani Location of Chuka Division, Karingani Ward. Karingani location comprises Ndagani, Mariani, Rukindu and Karongoni sublocation with a population of 18,194 persons within an area of 72.5 kms. A series of consultative forums with the local political leaderships including the area MP, members of the County Assembly, Chiefs, Assistant Chiefs and other opinion leaders had expressed concern and the need for a new location by the name of Karingani location.

The Petitioner called the attention of the Committee to the following issues:-

- (i) That, to ensure effective coordination of National Government functions and services at the sub-county levels, there is need to have well defined geographical and administrative units;
- (ii) That, this objective was not realized in delimitation and demarcation of boundaries for Karingani location which currently exists in Chuka division and has a population of eighteen thousand, one hundred and ninety four (18,194) people, within an area of 72.5 square kilometers;
- (iii) That, currently Karingani location hosts Chuka university fraternity with a population of twelve thousand (12,000) people, which was increasing with each year's enrolment of students coupled with a business community settling in the area, all of which has led to a steady rise in population in that area;
- (iv) That, the current headquarters of Karingani location which is in Kaanwa, is far from upcoming markets, thus posing an administrative challenge to the area Chief, who is occasionally overwhelmed by the workload of coordinating activities in the area;
- (v) That, requests to address this matter by the residents of Karingani area through organs of the National Government have not been considered, while the situation continues to hamper and complicate delivery of administrative services to the area residents.

MIN.NO.014/ANS/2016

ANY OTHER BUSINESS

The following issues were raised:-

- (i) The Cabinet Secretary for Interior and Coordination of National Government be requested to clarify the delay in the creation a new administrative unit in Karingani location.
- (ii) The National Police Service Commission to appear before the Committee and clarify the alleged corruption the promotions and transfer of police officers.

MIN.NO.015/ANS/2015

ADJOURNMENT OF THE MEETING

The meeting was adjourned at 12.30 pm and the next meeting will be held on Tuesday, 16th February, 2016 at 10.00 a.m.

Signed. Lawrence Taran (Chairperson)

Date. 15 [03] 2016

SITTING OF DEPARTMENTAL COMMITTEE ON ADMINISTRATION THE 15TH AND NATIONAL SECURITY HELD ON 15th MARCH, 2016 IN THE COMMITTEE ROOM, 2ND FLOOR, CONTINENTAL HOUSE, PARLIAMENT BUIDINGS AT 10:00 AM

PRESENT:

- 1. The Hon. Asman Kamama, MGH, OGW, MP Chairperson
- 2. The Hon. Ababu Namwamba, EGH, MP
- 3. The Hon. Zakayo K. Cheruiyot, MP
- 4. The Hon. Grace Kiptui, MP
- 5. The Hon. Bernard Shinali, MP
- 6. The Hon. Joseph Lekuton, MP
- 7. The Hon. Jane Machira, MP
- 8. The Hon. Francis K. Mwangangi, MP
- 9. The Hon. Akuja ProtusEwesit, MP
- 10. The Hon. Samuel Moroto, MP
- 11. The Hon. Ibrahim Abdi Saney, MP
- 12. The Hon. Ahmed Abdikar Ore, MP
- 13. The Hon. (Dr.) Humphrey Njuguna, MP
- 14. The Hon. Wanjiku Muhia, MP
- 15. The Hon. George Theuri, MP

ABSENT

- 1. The Hon. Alois M. Lentiomaga, MP
- 2. The Hon. Alice Wahome, MP
- 3. The Hon. Mohamed Shidiye, MP
- 4. The Hon. Patrick Ole Ntutu, MP
- 5. The Hon. Shabaan Ali Isaack, MP
- 6. The Hon. Joseph Kahangara, MP
- 7. The Hon. Joseph O. Ndiege, MP
- 8. The Hon. James Bett, MP
- 9. The Hon. Rashid J. Bedzimba, MP
- 10. The Hon. (Maj. Rtd.) John K. Waluke, MP
- 11. The Hon. David Gikaria, MP
- 12. The Hon. Timothy W. Wetangula, MP

Vice- Chairperson

IN ATTENDANCE- NATIONAL ASSEMBLY

The Hon. Onesmus Muthomi Njuki, MP

MINISTRY OF INTERIOR AND COORDINATION OF NATIONAL GOVERNMENT

- 1. Hon. Maj. Gen. (Rtd) Joseph Nkaissery, MGH, CBS Cabinet Secretary
- 2. Ms. Mary Njenga Parliamentary Liaison Officer

NATIONAL ASSEMBLY

Mr. Leonard Machira
 Ms. Rose Wanjohi
 First Clerk Assistant
 Second Clerk Assistant

3. Mr. Fiona Musili - Research & Policy Analyst III

MIN.NO. 057/ANS/2016: PRELIMINARIES

The Chairperson called the meeting to order at half past ten o'clock. A prayer was said.

MIN. NO.058 /ANS/2016: CONFIRMATION OF MINUTES

Minutes of the 1st Sitting were confirmed as a true record of the proceedings as proposed by the Hon. Zakayo K. Cheruiyot, MP and seconded by the Hon. Ahmed Abdikadir Ore, MP.

Minutes of the 2nd Sitting were confirmed as a true record of the proceedings as proposed by the Hon. Ahmed Abdikadir Ore, MP and seconded by the Hon. Akuja Protus Ewesit, MP.

Minutes of the 3rd Sitting were confirmed as a true record of the proceedings as proposed by the Hon. Zakayo K. Cheruiyot, MP and seconded by The Hon. Wanjiku Muhia, MP.

Minutes of the 4th Sitting were confirmed as a true record of the proceedings as proposed by the Hon. Ahmed Abdikadir Ore, MP and seconded by the Hon. Francis K. Mwangangi, MP.

Minutes of the 5th Sitting were confirmed as a true record of the proceedings as proposed by the Hon. George Theuri, MP and seconded by the Hon. Zakayo K. Cheruiyot, MP.

MIN. NO.059 /ANS/2016: SUBMISSIONS BY THE CABINET SECRETARY ON PETITIONS

The Cabinet Secretary, Ministry of Interior and Coordination of National Government in response to petitions before the Committee, stated that:-

1. Petition by residents of Dakabaricha Location regarding revocation of the appointment of Mr. David Mulato as the Chief of Dakabaricha Location, Saku Constituency.

The Deputy County Commissioner, Marsabit Central Sub County chaired a panel that conducted interviews for the position of the Chief Dakabaricha Location on 26th January, 2015. The best four candidates, Mr. Omar Jillo Sage, Mr. David Mulato Ndonche, Ms. Amina Aila Ote and Mr. Yohana HirboBaqe in that order, were all residents of the Dakabaricha Location and members of the Burji ethnic community.

Before the appointments could be finalized, the Hon. Col (Rtd) Dido Ali Rasso, MP allegedly objected to the appointment proposed Mr. Halkano Dambi for the position However, Mr. Halkano Dambi was not among the candidates shortlisted for interview leading to appointment to the position.

Mr. Omar Jillo Sage who emerged as the best candidate during the interviews had worked as an assistant chief in Dakabaricha Sub County from 1997 to the present day. However, at one time during his employment he was suspended and charged in a court of law for the offence of incitement to violence. He was acquitted by the court and later reinstated to his current position of Assistant Chief.

In view of the past record of Mr. Omar Jillo Sage and considering the person proposed by the Hon. Col (Rtd) Dido Ali Rasso, MP had not been shortlisted for the interviews. Mr. David Mulato Ndonche, who was ranked second in the interviews, was appointed as the chief Dakabaricha Location on 20th April, 2015. Mr. David Mulato Ndonche attained C- (Minus in KCSE, though the minimum academic requirement as per the scheme of service is C+ (plus). However, the Public Service Commission granted a temporary waive on academic requirements to facilitate appointment of applicants who had a minimum of Kenya Certificate of Primary Education to the existing vacancies in the grade of Chief and Assistant Chief in Marsabit County.

The Cabinet Secretary further informed the Committee that the recruitment and selection process were well managed and appealed to the Committee to recommend that the Ministry upholds the appointment of Mr. David Mulato Ndonche to the position of Chief, Dakabaricha location. He further stated that the assertions made by Hon. Col (Rtd) Dido Ali Rasso, MP that the residents of Dakabaricha Location had serious reservations on the appointment were not accurate. Noting that the location was predominantly occupied by the Burji Comminuty and Mr. David Mulato Ndonche is a member of the same community. He further stated that since the Chief started working in 20th July, 2016 no single incident of demonstration by locals over the appointment had been reported.

2. Kiseku Ward village managers regarding alleged compensation for services offered.

Cabinet Secretary informed the Committee that the Government was not aware of the position village managers. However, it was aware of the position of village elders. Though the Government recognized the crucial role that the village elders play, it does not facilitate them because;-

- The Ministry had no budgetary allocation for the payment of allowances;
- Most village elders were outside the employable age bracket approved by the government; and
- The size of the villages had not been standardized.

The Cabinet secretary requested Parliament to set up a fund to facilitate the operations of the village elders in recognition of the important role they play by providing an important link in the National Government service delivery.

The Committee observed that the ward administrators employed by the County governments were well remunerated and if the same was not availed to National Government administrators including the village elders the National Government risked losing this vital link in the provision of National Government services to the public. Further the village administrators were being utilized to mobilize the public and drive the agenda of the County Governments.

The Cabinet Secretary informed the Committee that the Ministry had introduced a scheme of service for the National Administration Administrators which would provide opportunities of promotion, particularly for the Chiefs and Assistant Chiefs. The Committee proposed that the facilitation of village elders to be included as a budgetary item in the Ministry's Budget for the 2016/17 Financial Year.

3. Petition by Hon. Muthomi Njuki, MP on behalf of the residents of Chuka IgambaNg'ombe Constituency on the delayed creation of a new administrative unit in Karingani location, Meru South Sub county

The Cabinet Secretary informed the Committee that the Ministry had received over 500 petitions for delineation of various administrative units across the country. The Ministry had commenced the process of rationalization and harmonization of all administrative units. The creation of administrative units would be based on recommendations from the exercise. The process would however depend, among other factors, on budgetary allocations to the Ministry.

The Hon. Muthomi Njuki, MP informed the Committee that with the development of Chuka University there was increased population growth in Karingani Location which required services yet the residents administratively report to a chief who was in a different ward. He further stated that Karingani Location has six sub locations. The Cabinet Secretary requested copies of the County Commissioners recommendations on the matter and which the Hon. Muthomi Njuki, MP agreed to provide.

The Hon. Muthomi Njuki, MP also stated that the recent public sacking of some Chiefs in Meru County had been perceived as humiliating by officers by residents The Cabinet Secretary responded that the sacking of the Chiefs was done under his directive to serve as an example to other officers on the need to ensure the eradication of illicit brews.

4. Petition by Hon. Jessica Mbalu, MP on behalf of residents of Kibwezi East Sub County on the relocation of the sub county's headquarters.

The Cabinet Secretary informed the Committee that Kibwezi East and Kibwezi West Sub Counties do not exist. He further stated that the boundary review process by the Independent Electoral and Boundaries Commission split the former Kibwezi Constituency into two, Kibwezi East and Kibwezi West. Kibwezi East Constituency was within Kibwezi Sub County but Kibwezi West Constituency straddles across Makindu, Nzaui and Kibwezi sub counties. The Headquarters of Kibwezi Sub County is Kibwezi Market which is shared by two Constituencies, Kibwezi East and Kibwezi West.

The Committee was further informed that residents of Kibwezi East Constituency had agitated for the Headquarters to be moved to Kambu Market but this had been opposed by the residents of Kibwezi Division. Further the National Government had made significant infrastructural developments, office constructions and fencing at the current headquarters at Kibwezi Market. The National Government was also in the process of aligning electoral and administrative boundaries and once this was done, the local leaders and residents could agree on the location of the headquarters.

The Committee observed that if indeed Kibwezi Market was located in Kibwezi West Constituency then the residents of Kibwezi East Sub County had been denied access to National Government services within their Constituency. The Cabinet Secretary requested for more time to investigate the matter and forward the findings to the Committee. The Committee recommended that if the Headquarters were to be moved to Kambu Town, the process should be gradual to allow for the development of necessary infrastructure.

MIN. NO.0 60/ANS/ 2016: ADJOURNMENT

There being no other business the meeting was adjourned at fifteen minutes to One o'clock until Thursday 17th March 2016 at 10:00 am.

SIGNED BY

(Chairperson)

DATE

26/04/2016

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MINUTES OF THE 24TH SITTING OF DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY HELD ON 19TH APRIL, 2016 IN THE COMMITTEE ROOM, 5TH FLOOR CONTINENTAL HOUSE, PARLIAMENT **BUILDINGS AT 10:00 AM**

PRESENT:

- 1. The Hon. Alois M. Lentiomaga, MP Vice- Chairperson
- 2. The Hon. Zakayo K. Cheruiyot, MP
- 3. The Hon. Alice Wahome, MP
- 4. The Hon. Samuel Moroto, MP
- 5. The Hon. Francis K. Mwangangi, MP
- 6. The Hon. Bernard Shinali, MP
- 7. The Hon. Shabaan Ali Isaack, MP
- 8. The Hon. Akuja Protus Ewesit, MP
- 9. The Hon. Wanjiku Muhia, MP
- 10. The Hon. Joseph O. Ndiege, MP
- 11. The Hon. David Gikaria, MP
- 12. The Hon. Timothy W. Wetangula, MP
- 13. The Hon. George Theuri, MP

APOLOGIES

- 1. The Hon. Asman Kamama, MGH, OGW, MP Chairperson
- 2. The Hon. Ababu Namwamba, EGH, MP
- 3. The Hon. Grace Kiptui, MP

ABSENT

- 1. The Hon. Joseph Kahangara, MP
- 2. The Hon. Patrick Ole Ntutu, MP
- 3. The Hon. Mohamed Shidiye, MP
- 4. The Hon. Humphrey Njuguna, MP
- 5. The Hon. James Bett, MP
- 6. The Hon. Joseph Lekuton, MP
- 7. The Hon. Ibrahim Abdi Saney, MP
- 8. The Hon. Ahmed Abdikar Ore, MP
- 9. The Hon. Rashid J. Bedzimba, MP
- 10. The Hon. (Maj. Rtd.) John K. Waluke, MP
- 11. The Hon. Jane Machira, MP

IN ATTENDANCE

NATIONAL ASSEMBLY

1. Mr. Leonard Machira - Clerk Assistant I

Ms. Rose Wanjohi
 Ms. Hellen Lokwang
 Clerk Assistant II
 Clerk Assistant III

4. Mr. Christine Odhiambo - Legal Counsel

MIN.NO.112/ANS/2016: PRELIMINARIES

The Vice Chairperson called the meeting to order at half past Ten o'clock. Mr. Leonard Machira said a prayer.

MIN.NO.113 /ANS/2016: CONFIRMATION OF MINUTES

Confirmation of minutes was deferred to the next sitting.

MIN.NO.114 /ANS/2016: CONSIDERATION AND ADOPTION OF THE REPORT ON TH EPETITION BY RESIDENTS OF CHUKA IGAMBA NG'OMBE CONSTITUENCY REGARDING DELAYED CREATION OF A NEW ADMINISTRATIVE UNIT IN KIRINGANI LOCATION, MERU SOUTH SUB-COUNTY

The Committee deliberated and unanimously adopted the report.

Committee Observations

The Committee made the following recommendations:-

- 1. Karingani location comprises Ndagani, Mariani, Rukindu and Karongoni sub-location with a population of 18,194 persons within an area of 72.5 kms. The large population requiring National Government services poses an administrative challenge to the area Chief. Hence the prayer by the petitioners that the location be divided into two is justifiable.
- 2. Karingani location hosts Chuka university fraternity with a population of twelve thousand (12,000) people, which was increasing with each year's enrolment of students coupled with a business community settling in the area, all of which has led to a steady rise in population in that area.
- 3. To rationalise political and administrative boundaries the residents of Karingani proposed that the location be subdivided into two locations Karingani and Mariani to correspond with existing Karingani and Mariani wards.

Recommendations

The Committee recommended that:-

The Ministry of interior and Coordination of National Government should create a new location in Karingani by subdividing Karingani Location into Karingani and Mariani Locations.

The Ministry of Interior and Coordination of National Government should fast track the rationalization of administrative units in the Country to align them with Constituency and Ward boundaries. Further the exercise should be based on an objective and fair criteria.

MIN.NO.115 ANS/2016: ADJOURNMENT

There being no other business, the meeting was adjourned at half past twelve o'clock until					
Thursday 2	1 st April, 2016	6 at 10:00am	L		
Signed	Land	eus v	nevan		
(Chairperson)					
Date	28	04	2016		••••
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ANNEX III

COPY OF PETITION

REPUBLIC OF KENYA



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THE NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT (THIRD SESSION)

PUBLIC PETITION

ON DELAYED CREATION OF A NEW ADMINISTRATIVE UNIT IN KARINGANI LOCATION, MERU SOUTH SUB-COUNTY

I, the UNDERSIGNED, on behalf of the residents of Chuka Igambang'ombe Constituency,

DRAW the attention of the House to the following:

- (i) THAT, to ensure effective coordination of National Government functions and services at the sub-county levels, there is need to have well-defined geographical and administrative units;
- (ii) THAT, this objective was not realized in delimitation and demarcation of boundaries for Karingani location which currently exists in Chuka division and has a population of eighteen thousand, one hundred and ninety four (18,194) people, within an area of 72.5 square kilometers;
- (iii) THAT, currently Karingani location hosts Chuka university fraternity with a population of twelve thousand (12000) people, which is increasing with each year's enrolment of students coupled with a business community settling in the area, all of which has led to a steady rise in population in that area.
- (iv) THAT, the current headquarters of Karingani location which is Kaanwa, is far from upcoming markets, thus posing an administrative challenge to the area chief, who is occasionally overwhelmed by the workload of coordinating activities in the area.
- (v) THAT, requests to address this matter by the residents of Karingani Area through organs of the National Government have not been considered while the situation continues to hamper and complicate delivery of administrative sended to the area residents;

REPUBLIC OF KENYA



THE NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT (THIRD SESSION)

PUBLIC PETITION

ON DELAYED CREATION OF A NEW ADMINISTRATIVE UNIT IN KARINGANI LOCATION, MERU SOUTH SUB-COUNTY

(v) THAT, the issues in respect of which this Petition is made are not pending before any Court of law, constitutional or statutory body.

THEREFORE, your humble petitioners PRAY that the National Assembly, through the Departmental Committee on Administration and National Security intervenes in this matter to cause the creation of a new administrative unit in Karingani area to permanently resolve this anomaly.

And your PETITIONERS will ever pray.

PRESENTED BY:

HON. MUTHOMI NUKI, MP

MEMBER FOR CHUKA/IGAMBANG'OMBE CONSTITUENCY

Date: 19/10/80/5

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ANNEX IV

SUBMISSIONS BY THE CABINET SECRETARY, MINISTRY OF INTERIOR AND COORDINATION OF NATIONAL GOVERNMENT

DELAYED CREATION OF A NEW ADMINISTRATIVE UNIT IN KARINGANI LOCATION, MERU SOUTH SUB COUNTY

Mr. Chairman, Hon. Muthomi Njuki, M.P. for Chuka/Igamba Ng'ombe Constituency, presented a petition on behalf the residents of his constituency on the delayed creation of a new administrative unit in Karingani location, Meru South Sub County.

In the petition he noted that:

- i. For effective coordination of National Government functions and services at the Sub county levels, there is need to have well defined administrative units;
- ii. The above objective was not realized in delimitation and demarcation of boundaries for Karingani location in Chuka division which has a population of 18,194 people in an area of 72.5 Km²;
- iii. Currently Karingani location hosts Chuka University fraternity with a population of 12,000 people and expected to increase annually;
- iv. The current headquarters of Karingani location at Kaanwa is far from the upcoming market and poses administrative challenges for the area chief;
 - v. Requests to address this matter through National Government organs have not been considered; and,
- vi. Issues in respect to this petition are not pending before any court of law.

Mr. Chairman, I wish to respond as follows:

The Ministry has received over 500 petitions for delineation of various administrative units across the country. In line with constitutional provisions, the Ministry is restructuring Provincial administration and among the activities pursued is the rationalization and harmonization of administrative units. The creation of administrative units will be based on recommendations that will come from that exercise.

Mr. Chairman, after the harmonization and rationalization, creation of additional administrative units will depend on among other factors, the budgetary allocations to the Ministry.

Thank you Mr. Chairman.

HON. MAJ. GEN. (RTD) JOSEPH NKAISSERRY, EGH

Cabinet Secretary

Ministry of Interior and

Coordination of National Government

11th March, 2016